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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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Arizona Corporation Commission

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2003 MAY 28 A 10:34

MARC SPITZER, Chairman
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WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

MAY 28 2003

AZ CORP COMMISSION
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IN THE MATTER OF THE APPLICATION OF
PALO VERDE UTILITIES COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY.

DOCKET NO. SW-03575A-03-0167

IN THE MATTER OF THE APPLICATION OF
SANTA CRUZ WATER COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY.

DOCKET NO. W-03576A-03-0167

PROCEDURAL ORDER**BY THE COMMISSION:**

On March 20, 2003, Palo Verde Utilities Company and Santa Cruz Water Company ("Applicants") jointly filed an application in the respective, above-captioned dockets seeking to extend their Certificates of Convenience and Necessity ("CC&N") to various specified areas of Pinal County, Arizona.

On May 14, 2003, the Arizona Corporation Commission ("Commission") Utilities Division ("Staff") filed its Sufficiency Letter indicating that the Applicants' application has met the sufficiency requirements of A.A.C. R14-2-402(C) and R14-2-602(B). Accordingly, this matter should be set for hearing.

IT IS THEREFORE ORDERED that the hearing in the above-captioned matter shall be held on July 31, 2003, at 10:00 a.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that Staff shall file its Staff Report in this matter by June 30, 2003.

IT IS FURTHER ORDERED that the Applicants shall file their response, if any, to the Staff Report by July 14, 2003.

1 IT IS FURTHER ORDERED that intervention shall be in accordance with A.A.C. R14-3-105,
2 except that all motions to intervene must be filed on or before July 14, 2003.

3 IT IS FURTHER ORDERED that the Applicants shall serve public notice of the hearing in
4 this matter, in the following form and style:

5 **PUBLIC NOTICE OF HEARING ON APPLICATION BY**
6 **PALO VERDE UTILITIES COMPANY AND**
7 **SANTA CRUZ WATER COMPANY FOR**
8 **EXTENSIONS OF THEIR CERTIFICATES OF CONVENIENCE**
9 **AND NECESSITY TO PROVIDE WATER AND WASTEWATER SERVICES IN**
10 **PINAL COUNTY, ARIZONA**
11 **DOCKET NOS. SW-03575A-03-0167 and W-03576A-03-0167**

12 On March 20, 2003, Palo Verde Utilities Company and Santa Cruz Water
13 Company ("Applicants") jointly filed an application in the respective, above-captioned
14 dockets seeking to extend their Certificates of Convenience and Necessity ("CC&N")
15 to various specified areas of Pinal County, Arizona.

16 The application is available for inspection during regular business hours at the
17 offices of the Commission in Phoenix, at 1200 West Washington Street, Phoenix,
18 Arizona and at the Applicants' offices, [insert applicants' addresses].

19 The Commission will hold a hearing on this matter on **July 31, 2003, at 10:00**
20 **a.m.**, or as soon thereafter as is practical, at the Commission's offices, 1200 West
21 Washington Street, Phoenix, Arizona. As a property owner or customer you may have
22 the right to intervene in the proceeding. If you do not want to intervene, you may
23 appear at the hearing and make a statement on your own behalf. Intervention shall be
24 permitted to any person entitled by law to intervene and having a direct and substantial
25 interest in the matter. Persons desiring to intervene must file a written notice to
26 intervene with the Commission, which motion should be sent to the Applicant or their
27 counsel and to all parties of record, and which, at the minimum, shall contain the
28 following:

1. The name, address, and telephone number of the proposed intervenor
and of any party upon whom service of documents is to be made if
different than the intervenor.
2. A short statement of the proposed intervenors interest in the proceeding
(e.g., a customer of the Applicant, a shareholder or member of the
Applicant, etc.)
3. A statement certifying that a copy of the motion to intervene has been
mailed to the Company or its counsel and to all parties of record in the
case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105,
except that all motions to intervene must be filed on or before **July 14, 2003**. The
granting of intervention, among other things, entitles a party to present sworn evidence
at hearing and to cross-examine other witnesses. However failure to intervene will not
preclude any customer from appearing at the hearing and making a statement on such

1 customer's own behalf. However, you will not receive any further notice of the
2 proceeding unless requested by you.

3 If you have any questions or concerns about this application or have any
4 objections to its approval, or wish to make a statement in support of it, you may write
5 the Consumer Services Section of the Commission at 1200 West Washington Street,
6 Phoenix, Arizona 85007 or call 1-800-222-7000 or appear at the hearing and make
7 comment.

8 The Commission does not discriminate on the basis of disability in admission to
9 its public meetings. Persons with a disability may request a reasonable accommodation
10 such as a sign language interpreter, as well as request this document in an alternative
11 format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-
12 3931, E-mail *shood@cc.state.az.us*. Requests should be made as early as possible to
13 allow time to arrange the accommodation.

14 IT IS FURTHER ORDERED that the Applicants shall mail to all property owners in the
15 affected service area a copy of this notice by first-class U.S. Mail, to begin as soon as possible and to
16 be completed on or before June 30, 2003.

17 IT IS FURTHER ORDERED that the Applicants shall by publication and/or publish in their
18 service areas.

19 IT IS FURTHER ORDERED that the Applicants shall file certification of mailing as soon as
20 practicable after the mailing/publication has been completed, but no later than July 14, 2003.

21 IT IS FURTHER ORDERED that notice shall be deemed complete upon mailing/publication,
22 notwithstanding the failure of an individual property owner or customer to read or receive the notice.

23 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
24 Communications) applies to this proceeding as the matter is now set for public hearing.

25 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
26 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

27 DATED this 28th day of May, 2003.

28 

DWIGHT D. NODES
ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed
this 28th day of May, 2003 to:

2
3 Jay Shapiro
4 FENNEMORE CRAIG
5 3003 North Central Avenue, Ste. 2600
6 Phoenix, AZ 85012
7 Attorneys for Applicants

8 Brent D. Butcher
9 3975 S. Highland Dr., #6
10 Salt Lake City, Utah 84124

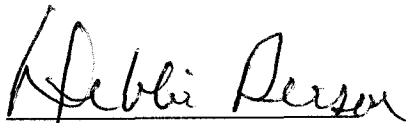
11 Kent A. Hogan
12 3799 E. Catamount Ridge Way
13 Sandy, UT 84092

14 Christopher Kempley, Chief Counsel
15 Legal Division
16 ARIZONA CORPORATION COMMISSION
17 1200 West Washington Street
18 Phoenix, Arizona 85007

19 Ernest Johnson, Director
20 Utilities Division
21 ARIZONA CORPORATION COMMISSION
22 1200 West Washington Street
23 Phoenix, Arizona 85007

24 ARIZONA REPORTING SERVICE, INC.
25 2627 N. Third Street, Suite Three
26 Phoenix, Arizona 85004-1104

27 By:



28 Debbi Person
Secretary to Dwight D. Nodes